

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DAVID JAMES REISCHAUER,

Plaintiff,

Case No. 4:04-cv-42

v.

Hon. Gordon J. Quist

RUSS JONES, et al.,

Defendants.

**ORDER AND JUDGMENT**  
**APPROVING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on March 31, 2006. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed March 31, 2006, is approved and adopted as the opinion of the court.

**IT IS FURTHER ORDERED** that Defendant's Motion for Summary Judgment (Dkt. No. 87) is **GRANTED** and Plaintiff's Motion for Leave to File an Amended Complaint (Dkt. No. 100) is **DENIED**.

**IT IS FURTHER ORDERED** that this case **DISMISSED**.

/s/Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE

DATED: April 27, 2006